Amendments to the Claims:

This listing of claims will replace all prior versions, and listings of claims in the application:

Listing of the Claims:

1. (Currently Amended) A method for controlling crown gall disease on a plant species susceptible to the disease, said method comprising the step of introducing onto the plant an effective amount of a biologically pure culture of an α-proteobacteria which is capable of controlling crown gall disease, wherein the α-proteobacteria is a strain of *Rhizobiaceae* bacteria genetically engineered to express a *tfx* operon, and wherein the α-proteobacteria -produces trifolitoxin for controlling crown gall disease on plants.

2. (Previously Amended) The method of Claim 1 wherein the α-proteobacteria is a strain of *Agrobacterium* bacteria.

3. (Original) The method of Claim 2 wherein the strain of *Agrobacterium* bacteria is *Agrobacterium vitis*.

4. (Previously Amended) The method of Claim 3 wherein the strain of *Agrobacterium* bacteria is the strain *Agrobacterium vitis* F2/5 including pT2TFXK, ATCC Patent Deposit Designation PTA-2356.

5. (Canceled)

6. (Previously Amended) The method of Claim 1 wherein the α-proteobacteria is genetically engineered to express SEQ ID NO:1.

7. (Previously Amended) The method of Claim 1 wherein the α-proteobacteria is genetically engineered to express a pT2TFXK plasmid.

8. (Original) The method of Claim 1 wherein the plant is either a grape plant, a fruit tree or a rose plant.

9. (Original) The method of Claim 1 wherein the plant is a seed.

10. (Currently Amended) A method for controlling crown gall disease on a plant species susceptible to the disease, said method comprising the step of introducing onto the plant an effective amount of an α-proteobacteria which is capable of controlling crown gall disease, wherein the α-proteobacteria is a strain of either *Rhizobium* or *Agrobacterium* bacteria genetically engineered to express a *tfx* operon, and wherein the α-proteobacteria produces trifolitoxin for controlling crown gall disease on plants.

11. (Canceled)

12. (Original) The method of Claim 11 wherein the strain of *Agrobacterium* bacteria is *Agrobacterium vitis*.

13. (Previously Amended) The method of Claim 12 wherein the strain of *Agrobacterium* bacteria is the strain *Agrobacterium vitis* F2/5 including pT2TFXK, ATCC Patent Deposit Designation PTA-2356.

14. (Canceled)

15. (Previously Amended) The method of Claim 10 wherein the α-proteobacteria is genetically engineered to express SEQ ID NO:1.

16. (Previously Amended) The method of Claim 10 wherein the α-proteobacteria is genetically engineered to express a pT2TFXK plasmid.

17. (Original) The method of Claim 10 wherein the plant is either a grape plant, a fruit tree or a rose plant.

18. (Original) The method of Claim 10 wherein the plant is a seed.

19. (Currently Amended) A biocontrol agent for controlling crown gall disease comprising an α-proteobacteria which is capable of controlling crown gall disease, wherein the α-proteobacteria is a strain of *Agrobacterium* bacteria genetically engineered to express a *tfx* operon to produce trifolitoxin.

20. (Cancelled)

21. (Currently Amended) The biocontrol agent of Claim ~~20~~ 19 wherein the strain of *Agrobacterium* bacteria is *Agrobacterium vitis*.

22. (Previously Amended) The biocontrol agent of Claim 21 wherein the strain of *Agrobacterium* bacteria is *Agrobacterium vitis* F2/5 including pT2TFXK, ATCC Patent Deposit Designation PTA-2356.

23. (Canceled)

24. (Previously Amended) The biocontrol agent of Claim 19 wherein the α-proteobacteria is genetically engineered to express SEQ ID NO:1.

25. (Previously Amended) The biocontrol agent of Claim 19 wherein the α-proteobacteria is genetically engineered to express a pT2TFXK plasmid.

26. (New) The method of Claim 1 wherein the α-proteobacteria is a strain of *Rhizobium* bacteria.

27. (New) The method of Claim 10 wherein the strain of *Rhizobium* bacteria is *Rhizobium leguminosarum*.

28. (New) A method for controlling crown gall disease comprising:

a) providing:

(i) a crown-gall susceptible plant, wherein the plant is a wounded plant capable of being infected; and

(ii) an effective amount of a biologically pure culture of a trifolitoxin-producing bacterium, wherein the bacterium is a strain of *Rhizobiaceae* bacteria; and

b) applying the trifolitoxin-producing bacterium onto a wound of the susceptible plant for controlling crown gall disease.

29. (New) The method of Claim 28, wherein the biologically pure culture of the trifolitoxin-producing bacterium is applied to the susceptible plant in step (b) by spraying a bacterial suspension onto the crown of the susceptible plant.

30. (New) The method of Claim 28, wherein the Rhizobiaceae bacterium is capable of systemically colonizing the plant.

31. (New) The method of Claim 30, wherein the bacterium is *Agrobacterium vitis* strain F2/5.

32. (New) The method of Claim 31, wherein the plant is a *vitis* species.